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13281 U.S. PTO

Attorney Docket No. 509/39471D
PATENT



23646

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JAN 07 2004

17548 U.S. PTO
10/751945



Sir:

This is a request for filing a Divisional Application under 37 CFR 1.53b of pending prior application:

Applicant:	Michael J. Hawthorne	Art Unit:	3661
Serial No.:	10/301,729	Examiner:	Zanelli, Michael J.
Filed:	November 22, 2002		
For:	METHOD AND APPARATUS OF MONITORING A RAILROAD HUMP YARD		

- Enclosed are: a) the Specification including Claims and Abstract (9 pages);
b) 2 sheets of 2 Formal Drawings.
- The Specification and Drawings filed herewith contain no matter that would be considered new matter in the prior application and incorporates some or all of the amendments made in the prior application and a cross-reference to the prior application. Also, Claims 16-23 have been re-numbered as Claims 1-8.
- The filing fee is calculated below:

For	No. Filed		No. Extra	Small/Large Entity	Total
Basic Fee:				+\$385/770=	\$770.00
Total Claims:	8	- 20 =	0	x \$9/18=	\$0.00
Independent Claims:	1	- 3 =	0	x \$43/86=	\$0.00
TOTAL FEES:					\$770.00

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 02-1010 (509/39471D).

- A check in the amount of \$770.00 is enclosed.
- The Declaration and Power of Attorney appears in the original papers in the prior application.
- Address all future communications to:

BARNES & THORNBURG
750 17th Street, N.W.
Suite 900
Washington, D.C. 20006
(202) 289-1313

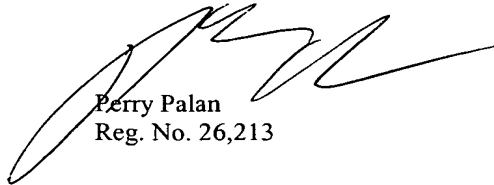
- An Information Disclosure Statement is enclosed.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees, be charged, or any overpayment in fees be credited to the Account of Barnes & Thornburg, Deposit Account No. 02-1010 (509/39471D).

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date

1/7/01



Perry Palan
Reg. No. 26,213

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January 7, 2004

Mr. Michael Hawthorne
New York Air Brake Corporation
8912 Oak Grove Road
Ft. Worth, TX 76140

Re: U.S. Patent Application No. 10/301,729
METHOD AND APPARATUS OF MONITORING A
RAILROAD HUMP YARD
Your Ref: NY-1133 -- Our Ref: 509/39471

Dear Mike:

Enclosed is a copy of an official Office Action dated December 31, 2003 indicating that Claims 1-15 have been allowed. Our Amendment in response thereto is also enclosed. Also, enclosed is a copy of the divisional application that we filed to Claims 16-23, which were renumbered as Claims 1-8.

If you have any questions, please do not hesitate to contact us. We will notify you upon receipt of further correspondence from the U.S. Patent & Trademark Office.

Sincerely,

BARNES & THORNBURG



Perry Palan

Enclosures

DCDS01 PPP 76306v1